

The Pitchfork Rebellion

Country folk wage an uphill battle against herbicides sprayed on private forestland.

STORY AND PHOTOS BY KERA ABRAHAM

Drive west along Oregon's Highway 36, past Triangle Lake into the Blachly-Greenleaf-Deadwood area, and you'll find yourself in coastal mountain country. Cows amble on green pastures; barns set down next to wooden houses; farmers and loggers pick fights in roadside bars.

It *should* be pretty. But the clear-cut hills that rise steeply from the highway are an eyesore, like ill-placed hair plugs on the balding scalp of a beautiful man. Families own the lowlands, but city-based timber companies hold deeds to most of the hilltops. They manage them for short-term profit, clear cutting swaths of forest on 15-year rotations, then dousing the naked slopes with herbicides to regenerate neat rows of Douglas fir. You'll likely pass more logging trucks than cars on the highway. The sound of helicopters is as regular as birdsong.



A clearcut hill off Highway 36

It's been this way for decades. As more than a few loggers'll tell ya, it's a living.

But something snapped in Blachly recently, and it wasn't just a tree under the weight of a mudslide. You could see it on the side of the highway on Feb. 11, at the base of a particularly homely clearcut. About 50 folks in jeans and baseball hats held hand-printed cardboard signs reading "No Spray" and "Health is Wealth." They took turns at a staticky microphone, lambasting big timber and pesticide companies for poisoning them for profit, politicians for failing to pass substantive laws to protect their farms and families, and media for not noticing. Their mantra: "We're mad as hell, and we're not gonna take it anymore."

This, they announced, was the beginning of something big. An uphill battle, but one absolutely necessary to protect their land and their families.

This was the launch of the Pitchfork Rebellion.

Rebels with a cause

If Lane County's major timber companies — Weyerhaeuser, Roseburg, Rosboro, Swanson — are Goliath, then it's not hard to imagine David Owen's role. Two years ago, he left his natural food store in Veneta to move to Blachly with his wife Neila and her two school-aged children. They raised up a home and a small organic farm, complete with chickens and goats, and he became the minister of a country church. Wearing his trademark denim overalls, with a long white beard and small sharp blue eyes, he resembles a farmer Santa.

Last fall, Owen began hosting monthly meetings for neighbors concerned about the herbicide operations. He invited expert guests to lecture on the science of herbicides, the laws governing their use and citizens' tools for reform.

Then the stories started percolating in, like groundwater into a mountain creek. The neighbors noted that one local man breaks out in sores every time there's a nearby spray. A young father told how he had bad stomach pains, and his dog lost half of its fur, after a timber company doused the hill behind his house. A mother noted that two Triangle Lake High graduates died of testicular cancer in their 20s and 30s. Several locals said they feel depressed, aggressive or moody during the spraying season. Organic farmers noticed changes in their crops and wondered if they were being contaminated by chemical drift.



Fred Mentzer

Cheryl Smith, a goat rancher, said her animals had a "freakish year" of miscarriages and birth defects. Pam Benson, a self-described recluse, said she once inhaled a lungful of herbicide out the car window; her throat began to bleed, one of her lungs filled up with fluid, and she was incapacitated for several weeks.

Nancy Weiler, the owner of a country diner off Highway 36, said she noticed customers with the same medley of symptoms — sore throat, dry mouth, itchy eyes — around spraying time. "I'm selling food here and they spray right behind me," she said. "You can't tell me it's not dropping down right onto us."

Governing Goliath

It's hard for the state of Oregon to say which ailments of the body or mind are caused by herbicide exposure. But one thing's for sure: Timber companies spray the bejeezus out of West Lane County. In just one section, where Highway 36 meets Nelson Mountain Road in Blachly, timber companies sprayed more than 1,000 acres of forestland with few dozen herbicides between January 2005 and March 2006.

So when Blachly folks come down with sore throats and

stomachaches, there's no easy way to pinpoint what exactly caused it. They can't likely look to state forester Paul Clements, the West Lane Oregon Department of Forestry's unlucky spokesman, for quick answers. Clements, who talks with a slight drawl and wears jeans to work at the ODF's Veneta office, manages to come across as blunt while talking circles around direct questions.

When people call the West Lane ODF to ask herbicide-related questions — What're they spraying above my land right now? Will it get into my creek? Is it unhealthy? — Clements navigates them through a maze of rules, regulations and agencies that govern private forestry practices in Oregon.



Lynn Bowers

The 1971 Oregon Forest Practices Act (FPA) was the nation's first law regulating private forest operations. But 35 years after its creation, Oregon's FPA has fallen behind neighboring states' to become the weakest forestry law in the Pacific Northwest. It allows landowners to clearcut forested patches up to 120 acres, provided they leave two trees standing per acre, and spray herbicides to within 10 feet of streams if applied from the ground, or 60 feet if applied by helicopter. They can log steep slopes bare, but must spare 100-foot buffers next to streams and a "visual corridor" of trees next to scenic highways.

The FPA assumes that when timber operators follow these rules, they'll be in compliance with federal laws such as the Clean Air Act, the Clean Water Act and the Endangered Species Act. The FPA also charges the ODF with ensuring that forest operators follow rules from other state agencies, such as the Department of Agriculture, the Department of Environmental Quality and the Department of Fish and Wildlife.

Timber companies reserve the right to spray any EPA-approved herbicide in whatever quantity and frequency they choose, so long as they follow the pesticide's label. And if they submit a written plan, they can ask state foresters to waive any of those pesky Forest Practices Act restrictions.

Spokesmen from Weyerhaeuser and Rosboro (Roseburg wouldn't return our calls) insist that their forest operators follow the FPA to a tee, and even take additional voluntary precautions to protect people and the environment.

"We use procedures that are so exact," said Weyerhaeuser spokesman Mike Moskovitz. "It's all computerized in terms of measuring the wind, distance, everything."

"We do use approved chemicals and herbicides, so hopefully the scientists and the people who are smarter than me have determined that they are not a problem," said Rosboro Lumber spokesman Jim Enright.

Judging by the ODF's enforcement records, West Lane forest operators must be just about perfect. Or something. Thousands of forestry operations occur in West Lane County every year, but the Veneta ODF office has issued exactly 30 penalties — totaling \$13,362 — between January 2002 and March 2006. Only four of the penalties were assessed to big timber companies. Weyerhaeuser got the highest fine: \$2,225.

Safe as they wanna be

Timber reps and industry lobbyists insist that when forestry herbicides are used correctly, there's no cause for alarm. But they can't prove that the 'cides are safe any better than Blachly-area farmers can prove that they're dangerous. The state's data has more holes than the cheese in Swiss Home.

The state DEQ has 30 years of water quality data on Lake Creek, a protected chinook salmon run and the domestic water source for hundreds of Highway 36-area residents. But the DEQ has never specifically tested the creek for herbicides, leaving that task to the ODF.

The ODF, for its part, has published a few studies that skirt the question of whether forestry herbicides are degrading the state's water sources. An April 2002 ODF report concluded that forest operators complied with 96 percent of the FPA rules and 98 percent of the state's chemical application rules. But the study's authors did no chemical testing of the water.



Pam Benson

A 2000 ODF study analyzed water samples from 26 "volunteered" forestry herbicide and fungicide application sites, none of them in Lane County. The study reported that, on the whole, water contamination was minimal. But hexazinone and 2,4-D — two of the most toxic forestry herbicides — were found at trace levels in several of the samples. "Chemical monitoring is a low priority for the Forest Practices Section," the study concluded. "[N]o changes are recommended to the forest practice laws."

And that seems to be that. The ODF hasn't studied the effects of herbicides on timberland communities since. "If we had more resources, we would do more monitoring and collect more data," said ODF policy analyst Brad Knotts. "We try to do what we can with the resources we have."

Clements said he takes about 12 "calls of concern" about herbicides per month. "I don't think they pose any risk to the public health beyond what is known of their effectiveness," he said. "Of course, there are people who aren't satisfied with the mechanisms that are available. Some people don't like handguns either."

Poison is as poison does

It might be easy to pass the Pitchfork Rebels off as hysterical country folk. But many of the symptoms that they describe match up with existing information on herbicide poisoning.

David Owen quickly made allies with Lynn Bowers, an activist who launched a campaign against herbicide spraying on south Eugene timberlands around 2003. Her group, Forestland Dwellers, interviewed dozens of herbicide exposure victims and compiled a list of the recurring symptoms, ranging from the annoying (coughs, rashes, headaches) to the disturbing (aggression, abnormal menstruation, hair loss) to the critical (infertility,

attention deficit disorder, Parkinson's disease, a range of cancers).

The herbicides sprayed over the Blachly area span a wide arsenal of weed-killers, including hexazinone, glyphosate, sulfometuron methyl, triclopyr, imazapyr, atrazine and 2,4-D. Although the EPA allows these chemicals to remain on the market, their persistence, toxicity and health effects are still largely unknown.

According to the Pesticide Action Network's online database (www.pesticideinfo.org), several of these forestry herbicides are particularly toxic. Hexazinone is a persistent water contaminant; atrazine is a suspected endocrine disrupter and carcinogen; both are toxic to aquatic organisms. 2,4-D, made infamous as one of the two active ingredients in Agent Orange, is a possible carcinogen and suspected endocrine disrupter that has been linked with a spectrum of sinister health effects.



Richard Mentzer

The ODF points to studies indicating that herbicide use on private forests has practically no impact on water quality, but the Northwest Coalition for Alternatives to Pesticides cites studies showing the opposite. In 1996, U.S. Forest Service tests on streams and groundwater in the Stanislaus National Forest found that hexazinone can persist in water sources for up to a year after sprayings. In 2000, lab tests sponsored by the Alsea Citizens' Monitoring Committee detected atrazine and hexazinone from forestry operations in streams at levels dangerous to aquatic organisms.

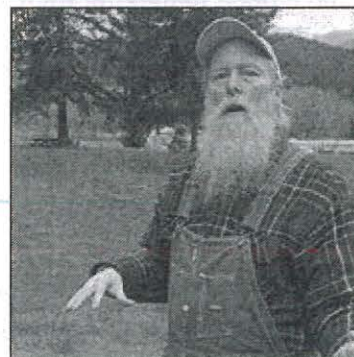
Neither side is convinced by the other's data. But for Blachly's Nancy Weiler, the answer is right there on the herbicide label. "What happened to common sense?" she asked. "What about the fact that anything that says '-cide' means 'kill'?"

Symptoms? What symptoms?

In the absence of definitive soil and water data, the Pitchfork Rebels turn to health records. Do clusters of common symptoms appear after herbicide operations?

Enter Oregon's Pesticide Analytical Response Center (PARC), established by executive order in 1978 to assemble health data related to pesticide exposure. State law requires physicians to report cases in which they believe a patient was affected by pesticide exposure to the Department of Health, which passes the info along to PARC.

According to PARC's last annual report, in 2001, 15 Oregonians and 10 pets showed symptoms of poisoning after forestry-related herbicide sprayings. But the state, upon investigating, found herbicides to be the "possible" cause of only three cases. The rest were closed due to "insufficient information." The number of times that the ODF, following up, found timber operators to be in violation of state laws: zero.



Department of Health Services epidemiologist Michael

Heumann, who sits on the PARC board, says that pesticide poisoning cases are probably under-reported. Only a fraction of people who are exposed to herbicides see a doctor; only a fraction of those doctors are able to recognize symptoms of pesticide poisoning; and only a fraction of them report those cases to the state. "Either the patient doesn't know it or the doctor doesn't recognize it," Heumann said. "The fact is that pesticide cases are seen so infrequently by doctors that it's easy for them to miss it."

David Owen

PeaceHealth Medical Director Gary Young said his physicians report all pesticide-exposure cases to the state. But PeaceHealth doctors didn't file a PARC report after Jim Freire, a Greenleaf man who believed he'd been poisoned by herbicides, was checked in for cardiac arrest (see sidebar).

McKenzie-Willamette physician Ben Bronciel said that herbicide exposure cases are often too fuzzy to pin. "We don't have a protocol to deal with it," he said. "People will come in with respiratory complaints, and that's managed symptomatically. There's no individual test that can be done to detect if someone's been exposed to herbicides."

PARC has also been hobbled by internal meltdown. The Legislature stripped the agency of its funding in 2003 and restored it again in August 2005. PARC director Chris Kirby admitted that without the funding, PARC has a limited ability to assess the health impacts of pesticides.

"Documentation is needed, and without that, it's hard to make a reasonable conclusion," Kirby said. "At the same time, PARC is not funded to go out and do research. Perhaps folks would see that as a disconnect. But if there isn't data, then where are we?"

The Blachly town doctor, Richard Mentzer, hasn't reported any cases to PARC. "I really can't say I've seen disease that I can directly trace to herbicides, but over the years I've had a lot of people complaining that they get sick from it," he said. "I probably wouldn't know herbicide poisoning if I saw it. The only way for me to find out would be to drink a glass of it."

But that doesn't mean he's comfortable with the spraying. "I feel strongly that we can't keep pouring poisons on the earth and have a good outcome," Mentzer said.

So he and his brother Fred harvest and mill their own timber from 200 acres of forest that they cut selectively, without herbicides. The Mentzer brothers are certified for sustainable forestry and have been managing their forest for 30 years — longer, Fred noted, than Goracke-Templeton Timber Company has owned the bald hump across the highway.



Nancy Weiler, Cheryl Smith, Patrice Johnson and Nella Owen.

Alternatives

On a drizzly March afternoon, five Pitchfork Rebels sat around a table at Nancy Weiler's diner, hashing out strategies for fighting the herbicide operations. A cardboard Betty Boop

waitress stood beside them, waiting to take their order.

The Pitchfork Rebels made four demands. They want the ODF to review forestry herbicides for their safety and necessity, and investigate safer alternatives. They ask that elected officials *not* beholden to the timber industry hold public hearings on forestry practices. They demand an immediate halt to herbicide use within one mile of schools. And they call for the replacement of clearcutting with sustainable, selective logging practices.

It's an uphill battle. By and large, Owen explained, his neighbors don't trust the ODF any more than they trust Weyerhaeuser. They aren't inclined to subscribe for spraying notifications or submit written comments to the ODF, much less report their medical concerns to the state. "We don't even know who we're supposed to call to complain," Owen said. "The feeling is that these ODF guys are in the pocket of the timber industry."

Owen said that funny things happen to folks who speak up against the timber industry: Water pipes get smashed, houses get torched, choppers spray homes directly, tax appraisers come knocking. The fear of retaliation is as real as the conviction that the sprayings make people sick. "Whether it's true or not, people believe it," Owen said.

But as the Forestland Dwellers of south Eugene have shown, it helps to be loud. In 2003, the Dwellers launched a campaign to get more neighbors to sign up with the ODF for spray notifications. They wrote letters to the editor and contacted their elected representatives. In March 2004, the Dwellers negotiated an agreement with Rosboro Lumber; the company committed to harvesting a nearby property without aerial herbicide applications. Rosboro then sold the property to local environmentalist Tom Lininger, who replanted it and now uses it as a demonstration site for herbicide-free forestry. "They know that we're watching 'em," Bowers said.

"They understood that we were the private landowners, and they weren't there to kick us out or call us bad guys," company spokesman Jim Enright said. "Once you come to the table with those understandings, you're more likely to work things out. And we did."

Bowers and the Oregon Toxics Alliance are now working with state Rep. Paul Holvey on several bills that would tighten restrictions on timber industries. "There have been a lot of complaints about spraying, and we're really worried about the effects this is having in our watersheds," Holvey said. "These bills would make us accountable for what kinds of herbicides we are spraying so we can monitor what's getting into our water."



Paul Clements

Holvey says that public complaints and medical cases filed with the ODF, DEQ and PARC will help him build a case for legislative change. "I'm hoping to get a good arsenal of data to identify that there is a problem in our rivers, groundwater and rural areas," he said. "I need to hear these things and move forward."

Gary Kutcher, director of the Sustainable Forestry Network, isn't waiting for legislative reform. He wants to take the issue straight to the people of Oregon. He is proposing a

ballot initiative that would require private timber companies to leave two-thirds of the trees on any given acre standing. Clearcutting and herbicide use would be banned.

It may be a long shot — Kutcher's last ballot initiative, in 1998, only got 20 percent of the vote after the timber industry outspent his campaign 100-to-1 — but he's undaunted. "Laws are meant to be changed," he said. Kutcher is also challenging Faye Stewart's seat on the Lane County Commission.

Meanwhile, off Highway 36 in Blachly, Fred and Richard Mentzer are harvesting and milling selectively cut, herbicide-free wood from their own timberlands. This is, after all, what the Pitchfork Rebels say they want: not an end to logging, but sustainable forestry that creates jobs and keeps wealth local while protecting the community's air, soil and water.

That gave Neila Owen, brainstorming with the Rebels at Eat at Joe's, an idea. "I feel a boycott of some sort is in order," she said. "We don't need to support the companies that poison us. Let's buy our wood from the Mentzers."

Danny Cross contributed to research for this report.

For information on herbicides applied to West Lane County forests, contact ODF's Veneta office at (541) 935-2283. To weigh in on Forest Practices Act rule changes, submit comments to ODF Rules Coordinator Gayle Birch, gbirch@odf.state.or.us or (503) 954-7210. Rep. Holvey encourages West Lane residents concerned about spraying to contact him at Rep.paulholvey@state.or.us or (541) 344-5636. For herbicide information and alternatives, visit the Northwest Coalition for Alternatives to Pesticides website at www.pesticide.org; and to learn about the Sustainable Forestry Network's proposed state initiative, visit www.efn.org/~forestry

Chemical Refugees

Jim and Tammy Freire and their two youngest children lived for 10 years in a Greenleaf home off Highway 36. Tammy did the record-keeping for the town doctor and ran an herbal nursery; Jim installed home theater systems and grew cacti in a greenhouse. The Freires custom-designed their house with the notion that they would grow old there.

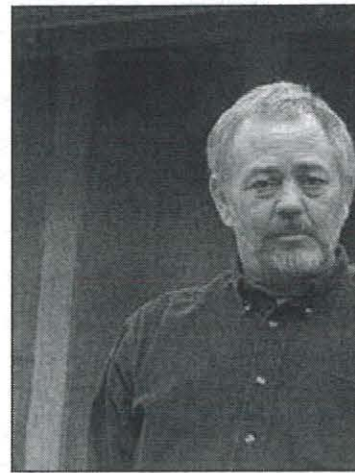
In 1999, after an electric company sprayed a utility pole in his yard, Jim went into cardiac arrest. He was rushed unconscious to PeaceHealth, his chest cracked open and an angiogram performed on his heart. He was diagnosed with arteritis (inflammation of the arteries) and had a triple bypass. He was 40 years old and uninsured. The family filed bankruptcy.

Less than a year later, Jim's oldest son Ryan, then 21 and in college at the UO, came home for a four-day visit. A

helicopter flew overhead, just barely turning off its sprayers before swooping over the house. "The herbicides hit everything in our yard, including us," Tammy said. When Ryan returned to Eugene, he felt ill. Within an hour he was in the hospital in cardiac arrest.

"I broke Einstein's law getting to town," Jim said. "I looked at my son and he was the color of the walls — pale white with a blue tinge. He flatlined right in front of me and they had to paddle him back." Ryan recovered and was diagnosed with arteritis, like his dad.

Jim called the Oregon Department of Forestry to complain about the incident. Officers from the ODF and the Oregon Department of Agriculture took a few plant samples, found them free of herbicides and closed the case.



Jim Freire

But the Freires' health problems continued during subsequent sprays. Jim realized that the herbicides from operations on the hills above them were sifting eastward, right into the little dell where they lived. Tammy kept getting a skin rash and irregular periods, and developed upper respiratory problems. Their daughter got stomach cramps and rashes. Their yard plants burned up. Their pet dove Hootie went from male to female. "If it can do that to the bird, what can it do to my kids?" Tammy asked. "I'd like to be a grandma someday!"

In early 2000, after a spray, Jim and Tammy's 8-year-old son started having chest pains. He grasped at his left arm and gasped for breath. He went into cardiac arrest and was rushed to Sacred Heart, where he was given an anti-inflammatory and recovered.

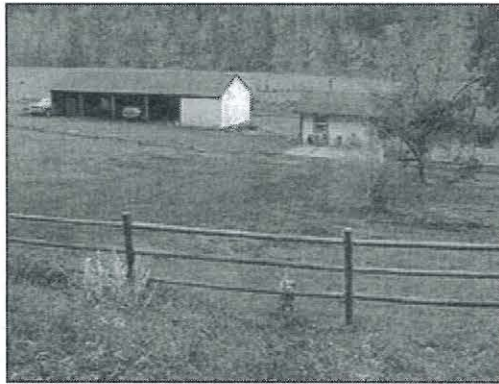
In March of this year, the Freires reluctantly pulled up their Greenleaf roots and moved to Springfield. "I knew that if I stayed out here much longer, I would get my wish — I'd be buried out here," Jim said. "But much sooner than I care to be."

When he spoke about leaving the home and the land where he'd hoped to retire, Jim choked up. "I'm really pissed that we have to leave," he said, sitting on the last piece of furniture in his Greenleaf home, hands gripping his knees. "But unless they make this a less toxic environment, we can't live here." — *Kera Abraham*

Mudslides

Geologists confirm that the coastal hills of West Lane are eroding. When heavy rains wash down their steep slopes, sooner or later they bring along cascades of mud. But Highway 36, edged by a long stretch of clearcuts, seems to have more than its share of mudslides: 12 happened this winter alone. The Oregon Department of Transportation cleans up the mess but doesn't determine the cause of the slides.

For many Blachly residents, it's common sense: When you log a steep slope, it's more likely to slide. But the state wasn't ready to make that leap, so the ODF commissioned a study. It grudgingly concluded that while mudslides on steep slopes are inevitable acts of nature, logging just *might* make them happen faster.



Rod Brown's yard, cleaned up after the mudslide.

The forested hill above Rodney Brown's Highway 36 home was stable for the decades. But last winter, just few months after Roseburg Resources clearcut it — leaving, it should be noted, a lonesome patch of trees at the top of the hill — the earth came gushing down the mountain, through a scraggly line of trees left next to the road, across the highway, through Brown's fence and up to his front door. A geologist and an ODF forester visited the site and declared the slide "natural."

Roseburg fixed Brown's fence, but no fine was leveraged against the company. And that was just fine with Brown. "Roseburg's taken care of all the problems. They've done right by me," he said.

The Pitchfork Rebels have pressed Brown to sue, but he brushed them off. "I work for my money," he said. "I don't know who these rabble-rousers think they are, trying to get me to sue. They're blowing things way out of proportion. It's Roseburg's land. They can do with it what they want. And when the state gives 'em approval to log, who are you or I to say they can't?"

Even if Brown had tried to sue, he probably wouldn't have gotten very far. The 1993 Right-to-Farm and Forest Act holds landowners harmless from liability if their forestry operations are in compliance with the FPA, even if they cause mudslides or make people sick. — *Kera Abraham*

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